

MELINDA HAAG (CA Bar No. 132612)
 United States Attorney
 JOANN M. SWANSON, (CA Bar No. 88143)
 Chief, Civil Division
 SARA WINSLOW (DC Bar No. 457643)
 Assistant United States Attorney
 450 Golden Gate Avenue, Box 36055
 San Francisco, California 94102-3495
 Telephone: (415) 436-6925
 Facsimile: (415) 436-6748
sara.winslow@usdoj.gov
 Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

NILEX CORPORATION, on behalf of itself and the UNITED STATES,)	No. C 09-3723-CW
)	
Plaintiff,)	
)	STIPULATION OF DISMISSAL;
v.)	ORDER
)	
DGI-MENARD INC.; SETH)	
PEARLMAN; ROGER BLOOMFIELD;)	
and RICHARD ALLEN HAMMERS,)	
)	
Defendants.)	

1. Under Fed. R. Civ. P. 41(a)(1), the United States of America and Plaintiff-Relator Nilex Corporation hereby stipulate to the dismissal of this action with prejudice, pursuant to the terms and conditions of the Settlement Agreement effective November 3, 2010.

2. No answer has been served or filed, and no parties other than the United States and the Relator have appeared in this action.

3. A case management conference is currently scheduled for November 30, 2010. In light of the settlement and dismissal, we ask that the case management conference be vacated.

IT IS SO STIPULATED.

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1 Date: November 15, 2010

Respectfully submitted,

2 MELINDA HAAG
3 United States Attorney

4 By: /s/ signature on file
5 SARA WINSLOW
6 Assistant United States Attorney
7 Attorneys for the United States of America

8 Date: November 15, 2010

ROGERS JOSEPH O'DONNELL

9 By: /s/ signature on file
10 AARON P. SILBERMAN
11 Attorneys for Nlex Corporation

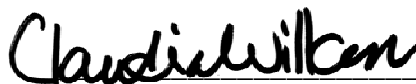
12 **ORDER**

Pursuant to stipulation IT IS HEREBY ORDERED:

- 13 1. This action is dismissed with prejudice.
14 2. The case management conference scheduled for November 30, 2010 is vacated.

15 IT IS SO ORDERED.

16 Dated: 11/17/2010



17 HONORABLE CLAUDIA WILKEN
18 United States District Judge
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